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DELAYNA GATLIN and SANDRA GATLIN

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DELAYNA GATLIN, as an individual,
SANDRA GATLIN, as an individual, and
on behalf of all others similarly situated,

Plaintiff,

vs.

UNITED PARCEL SERVICE, INC., an
Ohio corporation; and DOES 1 through
100,

Defendants.

Case No.: 2:18-cv-03135-SVW-AS

Assigned to: Hon. Judge Stephen V.
Wilson

**PLAINTIFFS' NOTICE OF
MOTION AND MOTION FOR
FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: May 18, 2020
Time: 1:30 p.m.
Courtroom: 10A

Action Filed: January 31, 2018
Pre-Trial Conf: None Set
Trial: None Set

1 NOTICE IS HEREBY GIVEN that on May 18, 2020, at 1:30 p.m. or as soon
2 thereafter as the matter may be heard in Courtroom 10A of the United States
3 District Court for the Central District of California, located at 350 West 1st Street,
4 Los Angeles, California 90012, before the Honorable Judge Stephen V. Wilson,
5 Plaintiffs Delayna Gatlin and Sandra Gatlin, jointly and on behalf of all others
6 similarly situated, will and hereby does move this Court for entry of an Order
7 pursuant to Fed. R. Civ. Proc. 23(e) granting:

8 1. Finally certifying the proposed Settlement Classes under Rule 23(e) of
9 the Federal Rules of Civil Procedure defined as:

10 a. “All Employee Subclass”: All current and former non-exempt
11 employees who worked for Defendant in California from
12 January 31, 2014 until January 21, 2020 who: (1) were paid an
13 hourly rate of pay that was less than 130% of the then-
14 applicable California minimum wage; and (2) were paid a
15 retention bonus (coded “RTN”) and overtime in the same pay
period or prior pay period; and

16 b. “Former Employee Subclass”: All former non-exempt
17 employees who worked for Defendant in California and
18 separated their employment between January 31, 2015 and
19 January 21, 2020 who: (1) were paid an hourly rate of pay that
20 was less than 130% of the then-applicable California minimum
21 wage; and (2) were paid a retention bonus (coded “RTN”) and
overtime in the same pay period or prior pay period.

22 2. Granting final approval to the class action settlement based upon the
23 terms set forth in the Stipulation of Settlement (“Settlement”) as fair,
24 reasonable and adequate under Rule 23(e) of the Federal Rules of Civil
Procedure

25 3. Confirming Plaintiffs Delayna Gatlin and Sandra Gatlin’s appointment
26 as Class Representatives for settlement purposes;
27
28

4. Confirming appointment of Scott M. Lidman, Elizabeth Nguyen, and Milan Moore of Lidman Law, APC and Paul K. Haines of Haines Law Group, APC, as Class Counsel;

5. Entering final judgment in the form of the [Proposed] Order Granting Plaintiff's Motion for Final Approval of Class Action Settlement and Final Judgment filed concurrently herewith.

This Motion is based on this Notice of Motion, the attached Memorandum of Points and Authorities, the declarations of Scott M. Lidman, Elizabeth Nguyen, Paul K. Haines, Milan Moore, Delayna Gatlin, Sandra Gatlin¹, and Elizabeth Kruckenberg of Phoenix Settlement Administrators and the exhibits attached thereto, the pleadings and other papers filed in this action, and on any further oral or documentary evidence or argument presented at the time of hearing.

This unopposed Motion is made pursuant to the terms of the Parties. Settlement Agreement and therefore compliance with Local Rule 7-3 is met. Declaration of Elizabeth Nguyen filed concurrently herewith, ¶ 28.

Dated: May 1, 2020

Respectfully submitted,
Lidman Law, APC

By: /s/ Elizabeth Nguyen
Elizabeth Nguyen
Attorney for Plaintiffs
DELAYNA GATLIN and SANDRA
GATLIN

¹ The declaration of Plaintiffs Delayna Gatlin and Sandra Gatlin were originally filed with this Court on December 4, 2019 in connection with the Motion for Preliminary Approval. For the convenience of the Court, Plaintiffs have re-filed their declarations with the instant Motion.